

## **DETAILED ACTION**

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with J. Kevin Parker on 5/8/08.

The application has been amended as follows:

In claim 1, line 15, after "device" insert –and to set an alarm flag for temperature limits--.

### ***Allowable Subject Matter***

Claims 1-20 are allowed.

The following is an examiner's statement of reasons for allowance:

A medical device adapted for implantation into a patient comprising circuitry for sensing cardiac activity, pacing the patient's heart, a temperature sensor and a controller that is programmed to monitor temperatures before implantation and sets an alarm flag for temperature limits as claimed is not taught nor suggested by the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lekholm (US 5,029,582) discloses a pacemaker that includes a temperature sensor disposed within the housing so that it measures the temperature in a region of the body periphery of the patient in whom the pacemaker has been implanted. The pacemaker also includes a microprocessor that analyzes the chronological course of the temperatures measured by the temperature sensor; however, there lacks a teaching or suggestion to set an alarm flag for temperature limits or to monitor temperatures before implantation.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Manuel whose telephone number is (571) 272-4952.

/George Manuel /  
George Manuel  
Primary Examiner  
Art Unit: 3762